

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
April 17, 2001

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:01 p.m., Tuesday, April 17, 2001, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and H. R. Ashe.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

Invocation. Bishop Frederick Reams, Church of Jesus Christ of Latter Day Saints, gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Burgett led the Pledge of Allegiance.

HIGHWAY MATTERS

Mr. Quinton Elliott, Resident Engineer, Virginia Department of Transportation, (VDOT), appeared to discuss highway matters of interest to the Board of Supervisors.

Mr. Ashe requested that the ditches on Calthrop Neck Road be cleaned out.

Mr. Wiggins reported that the culverts and ditches along Hornsbyville and Rocky Roads were stopped up and needed cleaning out.

Mr. Zarembo stated citizens had asked him about the flags and VDOT activity along Rochambeau Road.

Mr. Elliott replied that VDOT was in the beginning stages of widening I-64, and that may be what the residents were seeing.

Mrs. Noll asked when landscaping would be added around the Route 199/Lightfoot area.

Mr. Elliott stated there was a Revenue Sharing project that the County would be administering, and a plan would be developed for landscaping in that area.

Mr. J. Mark Carter, Planning and Zoning Manager/Zoning Administrator, explained that staff was waiting to see what would be funded under the Revenue Sharing Program before the plan would be finalized and put out to bid. He stated he thought installation would begin in the fall.

Chairman Burgett commended VDOT for the paving job on Route 134 and Route 17.

PRESENTATIONS

GRANT AWARD

Mr. John Matthews, Chairman of the Virginia Board of Conservation and Development of Public Beaches, appeared before the Board of Supervisors to present a ceremonial check in the amount of \$54,562.50. He stated the Conservation Board had provided just over \$250,000.00 to the Yorktown revitalization effort, which is primarily limited to beach stabilization and improvements.

VOLUNTEER REPORT

Mr. Rick Smethurst, Recreation Supervisor, presented the 2000 York County Volunteer Report to the Board of Supervisors. The report included data on over 2,142 volunteers who provided York County with 96,220 hours of service. He stated the combined volunteer hours given, along with the monetary and in-kind donations, represented \$1,667,487. Mr. Smethurst then introduced the following five recipients of the 2000 Outstanding Volunteer Awards, and Chairman Burgett presented them with engraved plates and certificates:

Bob Daugherty	Department of Fire & Life Safety/Volunteer Firefighter
Melanie Erickson	Department of Community Services/Youth Week Volunteer
Lackey Free Family Medicine Clinic	Department of Community Services/Free Medical Services
Evelyn W. Parker	Virginia Cooperative Extension/Master Gardener
David A. Rolston	Department of Environmental and Development Services/ Wetlands Board

CITIZENS COMMENT PERIOD

No one appeared to speak at this time.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett advised the Board that his office was up and running smoothly after the move into its new office space, and he invited the Board to visit.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. McReynolds stated that staff had been working with the National Park Service and the Yorktown Trustees to draft a deed to allow the old post office to be transferred to the County so that it can be moved off the wharf. He explained that a copy of a draft acceptable to the National Park Service has been received and would be forwarded to the Board and the Trustees. He stated a letter was prepared for the Chairman's signature to Colonel Carroll of the Army Corps of Engineers expressing the County's objection to the decision to deny the permits for the King William Reservoir. He reviewed a memorandum sent to the Board regarding sanitary sewer overflow regulations. Mr. McReynolds reported on his meeting with local government officials concerning the possibility of having a baseball stadium supported by the localities located in Newport News, and he would be providing the Board with further information. He

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reminded the Board of its joint meeting with the Planning Commission on Tuesday, April 24, 2001, at 6:00 p.m. in the meeting room of the Yorktown Library.

Mr. Zaremba commented this was the first he had heard of any initiative on the part of Newport News to request support for a baseball stadium from neighboring jurisdictions. He stated he felt before the Board committed to anything, there would be a public hearing on the matter. He stated baseball teams were private enterprises, and perhaps they shouldn't be subsidized by jurisdictions.

MATTERS PRESENTED BY THE BOARD

Mr. Zaremba mentioned the proposed private school to be built in the northern area of the County on a piece of land zoned residential. The residents of the three subdivisions surrounding that parcel are opposed to the school and held several meetings with the developer to voice their opposition. In the face of almost unanimous citizen opposition, the criteria required for this Board to approve a special use permit was found to be lacking; and the school withdrew its application. He congratulated the citizens for getting involved and making their voices heard. He spoke on the parking issues of Yorktown and, more specifically, the Grainger property and the condemnation acquisition. He explained that when the previous Board directed the County Attorney to initiate the eminent domain proceedings, it had to do with parking. The Board later directed the County Attorney to amend the pleadings filed from only a parking use to a public use, which would be determined at a later date. He spoke about editorials in the Daily Press that were against the use of the property for parking, and no final decision has been made for its use. Most recently the Chair had a letter published in the Daily Press which a lay reader might have understood to mean there was a decision made by the Board that a parking facility would be built there. He compared parking facilities in the Colonial Williamsburg, Jamestown, and Busch Gardens area which don't have parking facilities but have their own parking structures nearby. Mr. Zaremba stated the Board wants citizen input on any decision made relative to the Granger property, and he indicated he would hold a town meeting to receive public input on this issue before a decision was made.

Mr. Wiggins stated he had never been in favor any kind of parking in that area. He felt it was a prime piece of property in the County considering its cost of \$450,000.00. He felt parking needs could be met by utilizing the land above the hill which currently occupy run-down houses.

Mr. Ashe reported on a luncheon he attended with other business leaders and Senator John Warner. He discussed with the senator the future water needs of the Peninsula being provided by the King William Reservoir. Mr. Ashe stated the senator supported the County's stance on the reservoir and that Senator Warner had contacted the Corps with his support. He also discussed the enhancements at the Yorktown beach waterfront and requested Senator Warner's support in earmarking some of VDOT's funds for Yorktown. Mr. Ashe stated he had been serving on a commission to study the transportation policies of the state, and he mentioned bills signed by the governor which would hopefully help curb the cost of VDOT.

Mrs. Noll stated that the Chamber of Commerce honored the military last week at its annual Salute to the Military when outstanding military personnel from Ft. Eustis, Langley Air Force Base, Naval Weapons Station, and the Coast Guard were recognized. Congresswoman JoAnn Davis was the guest speaker at that event. She suggested that our servicemen and women be thanked for the jobs they perform, and she stated she felt that everyone was grateful for the return of the servicemen and women who were held in China.

Meeting Recessed. At 7:55 p.m. Chairman Burgett declared a short recess.

Meeting Reconvened. At 8:02 p.m. the meeting was reconvened in open session by order of the Chair.

PUBLIC HEARINGS

APPLICATION NO. UP-571-01, BERRANE ENTERPRISES, INC.

Mr. J. Mark Carter, Planning and Zoning Manager/Zoning Administrator, made a presentation on Application No. UP-571-01 to approve a use permit authorizing the establishment of a 30,900-square foot mini-storage warehouse facility behind Rip's convenience store located at 905 Denbigh Boulevard. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R01-64(R).

Mr. Charlie Berrane, the applicant, thanked the staff for all of its help on this project, and gave a special thanks to Tim Cross for preparing a package that was environmentally friendly and attractive.

Chairman Burgett called to order a public hearing on proposed Resolution R01-64(R) which was duly advertised as required by law and is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO
AUTHORIZE A MINI-STORAGE WAREHOUSE FACILITY AT 905
DENBIGH BOULEVARD

There being no one present who wished to speak concerning the subject application, Chairman Burgett closed the public hearing.

Mr. Ashe questioned condition number twelve that addressed the fencing requirements.

Mr. Carter elaborated that staff's original recommendation would have allowed the use of vinyl-coated fencing. The Planning Commission recommended that the requirement be modified because of the adjacent residential development that would occur, and the applicant agreed.

Mrs. Noll asked about using wrought iron.

Mr. Carter stated it would be a wrought iron, similar-type of fence.

Mr. Ashe asked if the fence was within the buffer.

Mr. Carter stated the buffer would be on the outside of the fence.

Mr. Ashe stated his concerns and explained that at least an 8-10 foot fence was needed for security reasons.

Discussion ensued regarding the fencing.

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Mr. Ashe then moved the adoption of proposed Resolution R01-64(R) which reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO
AUTHORIZE A MINI-STORAGE WAREHOUSE FACILITY AT 905
DENBIGH BOULEVARD

WHEREAS, Berrane Enterprises, Inc. has submitted Application No. UP 571-01, which requests a special use permit, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize a 34,900-square foot mini-storage warehouse facility on a 5.83-acre parcel located at 905 Denbigh Boulevard (Route 173) approximately 917 feet east of the Newport News city line and further identified as Assessor's Parcel No. 28-(1)-A; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board of Supervisors has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of April, 2001, the Application No. UP-571-01 be, and it is hereby, approved to authorize a 34,900-square foot mini-storage warehouse facility on a 5.83-acre parcel located at 905 Denbigh Boulevard (Route 173) approximately 917 feet east of the Newport News city line and further identified as Assessor's Parcel No. 28-(1)-A, subject to the following conditions:

1. This use permit shall authorize a 34,900-square foot mini-storage warehouse facility on a 5.83-acre parcel located at 905 Denbigh Boulevard (Route 173) approximately 917 feet east of the Newport News city line and further identified as Assessor's Parcel No. 28-(1)-A.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the County prior to the commencement of any construction or land clearing activities on the site. Said site plan shall be in substantial conformance with the sketch plan titled "Development Plan of Colony Pines Self Storage," prepared by Davis & Associates, P.C. and dated January 25, 2001, except as modified herein.
3. The mini-storage warehouse facility shall be developed and operated in accordance with the standards set forth in Sections 24.1-483, Standards for all wholesaling and warehouse uses, and 24.1-484, Standards for mini-storage warehouses, of the York County Zoning Ordinance.
4. The development shall be limited to a maximum of 34,900 net square feet of rentable space.
5. The hours of operation of the facility shall be limited to 6:00 a.m. to 9:00 p.m. daily.

6. All buildings facing either Denbigh Boulevard (Route 173) or the PD-zoned property to the rear of the parcel shall have façades of brick, stucco, or similar decorative building materials.
7. A Type 35 (35-foot) transitional buffer shall be provided along the rear of the property.
8. A twenty-foot (20') landscape yard shall be provided along the parcel frontage adjacent to Denbigh Boulevard and shall be landscaped in accordance with the planting ratios set forth in Section 24.1-242(h)(1) of the York County Zoning Ordinance.
9. Access to the site shall be from the existing Rip's convenience store entrances. No additional entrance on Denbigh Boulevard (Route 173) shall be permitted.
10. All warehouse bay doors shall face the inside of the mini-storage warehouse development. No warehouse doors shall be located along or in the exterior façade of the mini-storage warehouse development.
11. The parcel, including the existing Rip's convenience store and the mini-storage warehouse facility, shall be limited to one freestanding sign meeting all sign area, height, and location standards set forth in Article VII of the Zoning Ordinance.
12. All fencing on the Denbigh Boulevard side of the project shall be of a masonry, wrought iron, or similar decorative material. Fencing on the three remaining sides of the project may be masonry, wrought-iron, or green or black vinyl-coated chain link. The use of theft-deterrent wire (i.e., barbed wire, razor wire, etc.) anywhere on the property shall not be permitted.
13. Building height shall be no greater than fifteen feet (15'), as measured from the finish grade, except for any gables on the decorative facade, which may be no greater than thirty feet (30'), as measured from the finish grade.
14. Outdoor lighting shall be full cutoff luminaires or a decorative luminaire with full cutoff optics. All lighting shall be directed downward and shall not spill over onto adjacent properties or public rights-of-way. All lighting except low-level security lighting shall be extinguished between the hours of 11:00 PM and dawn. In addition, the applicant shall submit a photometric plan indicating all outdoor lighting on the site. This plan shall be approved by the Planning Division prior to the installation of any lighting on the site.
15. Development of the mini-warehouse project shall be contingent on the provision of an adequate water supply for firefighting, as required by Section 24.1-261(b)(2) of the Zoning Ordinance. Compliance with this requirement for this particular development project shall require one of the following to be accomplished:
 - a) A public water supply adequately sized for required fire flows shall be extended to the project site, and fire hydrants shall be installed on the site at such locations determined by the fire chief to be necessary to provide appropriate fire protection coverage; or
 - b) The developer shall install or guarantee the installation of the on-site components of the public water supply and fire hydrant system described in Subparagraph 15 a) above so as to accommodate future connection to the public water supply required to be extended to the subject site by others under the terms

of the Colony Pines of York Planned Development approval (reference Ordinance No. O92-35(R)). The developer shall agree to construct such on-site components and/or connect to the public water supply within 180 days of being notified by the County Administrator that water lines have been extended to the property. The developer's obligation to install and/or connect the on-site fire protection system to the public water supply at such time as it is extended to his property line shall be guaranteed and secured by a letter of credit or cash escrow, for a period not to exceed three (3) years, in an amount determined by the County Administrator. In addition, the developer shall provide an adequate on-site water storage system (tank or pond) or other acceptable arrangement, as determined by the York County Department of Fire and Life Safety, which is capable of supplying fire flow needs on an interim basis until such time as the public water supply connection is made.

16. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea: (4) Zaremba, Wiggins, Ashe, Burgett
Nay: (1) Noll

APPLICATION NOS. ZM-55-01 AND UP-573-01 KENNETH DALE MOORE

Mr. Mark Carter provided a video and made a presentation on Applications ZM-55-01 and UP-573-01 to reclassify from Medium Density Single Family Residential to General Business approximately 2.2 acres of property located approximately 350 feet from the intersection of Wolfrap Road and Route 17, and to authorize a special use permit authorizing a mini-storage warehouse facility on the property. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Ordinance No. 01-4.

Mr. Ashe questioned the restriction to prevent barbed wire at the top of the fence.

Mr. Carter explained it was for aesthetic appearance.

Mr. Lamont Myers, representative of the applicant, appeared before the Board to explain the applicant's intentions and offered to answer the Board's questions.

Mr. Dale Moore, the applicant, stated he preferred to have the wrought-iron fence up where it was visible from the road. He stated the chain-link would be placed inside the buffer where it would not be visible from the other three sides.

Chairman Burgett called to order a public hearing on proposed Ordinance 01-4 and proposed Resolution R01-65(R) which were duly advertised as required by law and are entitled:

AN ORDINANCE TO APPROVE APPLICATION NO. ZM-55-01 TO
AMEND THE YORK COUNTY ZONING MAP BY RECLASSIFYING
APPROXIMATELY 2.2 ACRES FROM R20 (MEDIUM DENSITY SIN-

GLE FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED ON WOLFTRAP ROAD

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A MINI-STORAGE WAREHOUSE FACILITY ON WOLFTRAP ROAD

There being no one present who wished to speak concerning the subject application, Chairman Burgett closed the public hearing.

Mr. Zaremba stated that the County did not know what economic development was about. He compared the County with other municipalities and their quality of buildings, including office buildings, malls, and retail centers. He mentioned Route 17 and stated the only thing he saw of economic development in York County was mini-storage warehouse facilities and convenience stores. He suggested that the staff take a closer look at what York County is all about in an effort to increase the standards in terms of what is allowed in the way of development.

Mr. Wiggins stated this was a piece of property that was zoned for five houses, and he felt that this would be a good project for that area.

Mr. Burgett stated that everything had its place, and that this was the right place for this kind of facility. He felt that York County made every effort to attract the right businesses to make the economy grow.

Mr. Ashe then moved the adoption of proposed Ordinance 01-4 which reads:

AN ORDINANCE TO APPROVE APPLICATION NO. ZM-55-01 TO AMEND THE YORK COUNTY ZONING MAP BY RECLASSIFYING APPROXIMATELY 2.2 ACRES FROM R20 (MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED ON WOLFTRAP ROAD

WHEREAS, Kenneth Dale Moore has submitted Application No. ZM-55-01 which requests an amendment to the York County Zoning Map by reclassifying from R20 (Medium Density Single Family Residential) to GB (General Business) 2.2 acres located approximately 350-feet from Wolftrap Road's intersection with Route 17 and further identified as Assessor's Parcel Nos. 29-32A, 29-39, and 29-42; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board of Supervisors has carefully considered the public comments, Planning Commission recommendation, and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 17th day of April, 2001, that it does hereby approve Application No. ZM-55-01 to amend the York County Zoning Map by reclassifying from R20 (Medium Density Single Family Residential) to

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GB (General Business) approximately 2.2 acres located approximately 350-feet from Wolftrap Road's intersection with Route 17. The parcel is further identified as Assessor's Parcel Nos. 29-32A, 29-39, and 29-42 and is more fully identified and described as follows:

Beginning at a point on the southerly right-of-way line of Wolftrap Road, 353' from the easterly right-of-way line of George Washington Memorial Highway; with a point of beginning thus established; thence running in an easterly direction along the southerly right-of-way line of Wolftrap Road on a curve to the left with an arc of 234.62' and a radius of 2,909.79' to a point at the corner of the lands of James Otis Riggins Jr.; thence running along the line of James Otis Riggins Jr. S 43-59-09 E, a distance of 374.87' to a point; thence S 49-50-45 W, A distance of 273.80' to a point; Thence N 38-00-06 W, a distance of 386.14' to the point of beginning, containing 2.206 acres and being comprised of 1.869 acres belonging to Allen Barbee Jr. & John B. Graham and .337 acres belonging to Sherry L. Amory.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Ashe, Zaremba, Burgett
Nay: (0)

Mr. Ashe moved the adoption of proposed Resolution R01-65(R) which reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO
AUTHORIZE A MINI-STORAGE WAREHOUSE FACILITY ON WOLF-
TRAP ROAD

WHEREAS, Kenneth Dale Moore has submitted Application No. UP 573-01, which requests a special use permit, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize a 37,600-square foot mini-storage warehouse facility on 2.2 acres located approximately 350 feet east of Wolftrap Road's intersection with Route 17 and further identified as Assessor's Parcel Nos. 29-32A, 29-39, and 29-42; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board of Supervisors has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of April, 2001, the Application No. UP-573-01 be, and it is hereby, approved to authorize a 37,600-square foot mini-storage warehouse facility on a 2.2 acres located approximately 350 feet east of Wolftrap Road's intersection with Route 17 and further identified as Assessor's Parcel Nos. 29-32A, 29-39, and 29-42, subject to the following conditions:

1. This use permit shall authorize a 37,600-square foot mini-storage warehouse facility on a 2.2-acre parcel located at 204 Wolftrap Road (Route 630) approximately 350 feet

from Wolftrap Road's intersection with Route 17 and further identified as Assessor's Parcel Nos. 29-32A, 29-39, and 29-42.

2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the County prior to the commencement of any construction or land clearing activities on the site. Said site plan shall be in substantial conformance with the sketch plan titled "Sketch Showing Proposed Self Storage Development by Dale Moore," prepared by Campbell Land Surveying, Inc., and dated January 31, 2001, except as modified herein.
3. The mini-storage warehouse facility shall be developed and operated in accordance with the standards set forth in Sections 24.1-483, Standards for all wholesaling and warehouse uses, and 24.1-484, Standards for mini-storage warehouses, of the York County Zoning Ordinance.
4. The development shall be limited to a maximum of 37,600 net square feet of rentable space.
5. The hours of operation of the facility shall be limited to 6:00 a.m. to 9:00 p.m. daily.
6. All buildings facing Wolftrap Road (Route 630) shall have façades of brick with a gable roof line.
7. A Type-35 (35-foot) transitional buffer using Type-50 (50-foot) planting ratios shall be provided along the edge of the property where a transitional buffer is required. Evergreen trees that form a continuous row of screening shall be installed along the western edge of the site between the mini-storage facility and the existing commercially zoned property to the west.
8. A twenty-foot (20') landscape yard shall be provided along the parcel frontage Wolftrap Road and shall be landscaped in accordance with the planting ratios set forth in Section 24.1-242(h)(1) of the York County Zoning Ordinance.
9. Access to the site shall be from one entrance on Wolftrap Road (Route 630). No additional entrances shall be permitted.
10. All warehouse bay doors shall face the inside of the mini-storage warehouse development. No warehouse doors shall be located along or in the exterior façade of the mini-storage warehouse development.
11. One ground-mounted monument style sign not to exceed 10 feet in height shall be permitted.
12. The fencing facing Wolftrap Road shall be wrought iron style. All other perimeter fencing may be of masonry, wrought iron style, or green or black vinyl-coated chain link. The use of theft-deterrent wire (i.e., barbed wire, razor wire, etc.) anywhere on the property shall not be permitted.
13. Outdoor lighting shall be full cutoff luminaires or a decorative luminaire with full cutoff optics. All lighting shall be directed downward and shall not spill over onto adjacent properties or public rights-of-way. All lighting, except low-level security lighting, shall be extinguished between the hours of 11:00 PM and dawn. In addition, the applicant

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shall submit a photometric plan indicating all outdoor lighting on the site as part of the site plan submission process. This plan shall be approved by the Planning Division prior to the installation of any lighting on the site.

14. Building height shall be no greater than fifteen feet (15'), as measured from the finish grade.
15. Development of the mini-storage warehouse project shall be contingent on the provision of an adequate water supply for fire fighting, as required by Section 24.1-261(b)(2) of the Zoning Ordinance. Compliance with this requirement for this particular development project shall require the following to be accomplished: A public water supply adequately sized for required fire flows and fire hydrants installed on site at such locations determined by the Department of Fire and Life Safety to be necessary to provide fire protection coverage.
16. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea: (5) Wiggins, Ashe, Zaremba, Noll, Burgett
Nay: (0)

CONSENT CALENDAR

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 3 and 4, respectively.

On roll call the vote was:

Yea: (5) Ashe, Zaremba, Noll, Wiggins, Zaremba
Nay: (0)

Thereupon, the following resolutions adopted:

Item No. 3. OUTSTANDING YOUTH AWARDS: Resolution Nos. R01-70, R01-71, R01-72, and R01-73.

Resolution No. R01-70

A RESOLUTION TO COMMEND AND CONGRATULATE BRANDON
ROBBINS ON HIS SELECTION AS THE 2001 YORK COUNTY OUT-
STANDING YOUTH OF THE YEAR FOR COMMUNITY SERVICE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Brandon Robbins was nominated and has been chosen by the Selection Committee to receive the 2001 Outstanding Youth of the Year Award for Community Service; and

WHEREAS, Brandon Robbins has demonstrated exemplary service to others, reaching out to touch the lives of people in his school, church, community, and beyond; and

WHEREAS, Brandon is a member of the Latin Honor Society and is willing to use this talent by volunteering to tutor fellow Latin students at York High School; and

WHEREAS, he is an active four year member of York's service-oriented Latin Club, in which he has participated in a variety of projects including the ongoing revitalization work for York High's inner garden area and by volunteering to tutor fifth grade students at Yorktown Elementary School; and

WHEREAS, Brandon also uses his considerable singing and acting talent to participate in his school's theatrical productions, most recently entertaining the large school and community audiences that attended York High's spring production of "Give My Regards to Broadway," in which he had the lead role; and

WHEREAS, Brandon attends St. Luke's United Methodist Church and has long distinguished himself for his active participation, including his service on the Church's Worship Committee, attending monthly meetings as the youth representative on both the Council on Ministries and the Administrative Board, serving as an usher, and performing volunteer yard work for some of the elderly parishioners; and

WHEREAS, Brandon has also served the community at large, volunteering his time to help at the York County Church Women's United Food Closet; and

WHEREAS, through his church Brandon has also touched needy families in other communities, volunteering to serve on work teams organized to help repair flood damaged homes in Franklin after Hurricane Floyd devastated that city; and

WHEREAS, one of the organizers of this outreach described Brandon as being an instrumental youth leader, not only participating himself, but recruiting other church youth and friends from school to join one of the Saturday work teams that would leave the County at 6:30 a.m., work all day in Franklin, and return about 6:30 that evening; and

WHEREAS, his involvement with his church has also led Brandon to participate in the Appalachian Service Project, a nationally respected program mobilizing teams of teenage and adult volunteers for week long summer housing projects in depressed rural mountain areas of Southwestern Virginia, West Virginia, Tennessee, and Kentucky; and

WHEREAS, Brandon joined this program during the first summer of age- eligibility following his ninth grade year and has continued ever since, committed to the task of repairing, renovating, or replacing homes to provide shelter that is warmer, safer, and drier for these disadvantaged people; an

WHEREAS, this program is a year round service commitment on the part of its participants since funds must be raised to rent vans to transport the summer teams and to purchase building materials and supplies which must be hauled in as well; and

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WHEREAS, the St. Luke's teams prepare months in advance through fundraising efforts such as working on weekends for homeowner donations from such tasks as leaf raking, gutter cleaning, and a variety of other projects such as the construction of wheel chair ramps and storage sheds; and

WHEREAS, the time commitment for the Appalachian Service Project also includes monthly team meetings from November through May to help prepare team members for the almost third world type of cultural experience, including working in some homes without toilet facilities, running water, or electricity; and

WHEREAS, Brandon and his team members are also given yearly instruction in relating to the *people* behind the poverty, so that they may sensitively interact with the families they will be serving in a spirit of true helpfulness and humility; and

WHEREAS, adult team leaders on this project characterize Brandon as being a very mature and active youth leader throughout the months of team preparation, training and fundraising, and commend him for his personal initiative, never needing to be asked to do something, but instead, immediately volunteering to serve as needs arise; and

WHEREAS, Brandon has also proven himself equally committed once the project begins each summer, arising early from the floor of an elementary school or other facility and traveling with his team to begin work at their project site by 8:30 each morning where they work steadily until 4:30 in the afternoon; and

WHEREAS, Brandon is also described as someone who always works hard, performing such tasks as roof repair and, along with two other youths, once planning out and executing the repair of a porch undercarriage, including blocking the walls so as to replace the rotten floor joists, and then installing new floor decking and linoleum; and

WHEREAS, Brandon is also described as being very personable towards the family members whom he is serving, naturally befriending and bonding with them; and

WHEREAS, this young man frequently led morning team devotions as well as evening discussions where team members share about the daily lessons they learned regarding service, relating to other volunteers, and interacting with people from a different cultural background, focusing on how to apply these lessons in their everyday lives upon their return home to York County; and

WHEREAS, Brandon has excitedly related his feelings about this experience on numerous occasions to his nominator and drama director, who himself has participated in this project through his own church and knows firsthand about the depth of commitment that is required and the impact it has on those that take part; and

WHEREAS, Brandon has described this as no less than a true life-changing experience, and one that he plans to take part in again this summer and even afterwards as a college student, hoping to motivate others to serve in this capacity;

NOW, THEREFORE, BE IT RESOLVED, on this the 17th day of April, 2001, that Brandon Robbins be, and he is hereby, commended and congratulated for being selected as York County's 2001 Outstanding Youth of the Year for Community Service.

BE IT FURTHER RESOLVED that Brandon be extended the heartfelt appreciation of the Board of Supervisors for his giving spirit and commitment to community service as well as the Board's best wishes for a continued meaningful and rewarding life of service to others.

Resolution No. R01-71

A RESOLUTION TO COMMEND AND CONGRATULATE KIMBERLY
HAYS ON HER SELECTION AS THE 2001 YORK COUNTY OUT-
STANDING YOUTH OF THE YEAR FOR COMPASSION

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Kimberly "Kim" Hays was nominated and has been chosen by the Selection Committee to receive the 2001 Outstanding Youth of the Year Award for Compassion; and

WHEREAS, Kim Hays typifies compassion in its truest sense, and is widely respected for her caring and sensitive nature that constantly reaches out to others; and

WHEREAS, Kim is an exceptional student, earning a 3.78 grade point average and using her considerable writing and organizational talents as co-editor of Grafton High's newspaper and as Senior Class Secretary; and

WHEREAS, her nominator and newspaper staff advisor has observed Kim in her leadership role as co-editor, sincerely trying to see things from the viewpoint of the student reporters and then gently suggesting various draft revisions; and

WHEREAS, her innate sensitivity to the perspective and feelings of others was also beautifully seen this year as a player on Grafton's Varsity Volleyball team; and

WHEREAS, her coach relates how Kim enthusiastically welcomed and immediately befriended an exchange student from Argentina, offering to give her a ride home after the very first day of practice, introducing her to others, inviting her to join Kim and her friends in social activities, in short, doing everything she could to help this individual feel at ease, fit in, and experience life as a teenager in this country; and

WHEREAS, at the team's banquet this student expressed her gratitude to everyone and then remarked, "I would especially like to thank Kim for being my first friend here;" and

WHEREAS, even some of Kim's friends have characterized her as "motherly," always listening and consoling them whenever they are beset with problems; and

WHEREAS, her sociology teacher and Senior Class Advisor describes Kim as a warm and compassionate person who truly cares about the well-being of her classmates and who, in a larger context, also shows deep concern for a variety of social ills confronting our society; and

Resolution No. R01-72

A RESOLUTION TO COMMEND AND CONGRATULATE JONATHAN
DUEY ON HIS SELECTION AS THE 2001 YORK COUNTY OUTSTAND-
ING YOUTH OF THE YEAR FOR OVERALL ACHIEVEMENT

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Jonathan "Jon" Duey has been chosen by the Selection Committee to receive the 2001 Outstanding Youth of the Year Award for Overall Achievement; and

WHEREAS, Jon Duey epitomizes achievement with his outstanding accomplishments and participation in a wide variety of endeavors; and

WHEREAS, Jon excels at using his considerable talents to the utmost, and is engaged in an array of activities that seem to defy the total number of waking hours in a week; and

WHEREAS, Jon's *academic* achievements are demonstrated by his advanced course work at Tabb High School, his 3.89 grade point average, by his being named a Delegate to Boys State last year, by his membership in the National Honor Society and the Mu Alpha Theta Math Honor Society, by his membership in the Technology Student Association, and by his participation on Tabb's Academic Challenge Team; and

WHEREAS, Jon's scholastic *leadership* achievements are extremely noteworthy, and include being selected as Tabb's representative to the Hugh O'Brien Youth Leadership Program

as a sophomore, being named to Boy's State last summer where he won recognition as First Place Public Speaker, receiving recognition this year as Tabb's October Senior of the Month, and serving very actively in his capacity as Senior Class President; and

WHEREAS, Jon has also demonstrated unusual leadership in the Boy Scouts of America program, achieving the rank of Eagle Scout, which is attained by only 3 to 5% of all scouts nationwide, and subsequently earning the Vigil Honor, bestowed on only 2% of all members of the Boy Scout's community service arm known as the Order of the Arrow, a group Jon has been actively involved in for the past four years and in which he has distinguished himself at both the state level and by being selected twice as one of Virginia's representatives to the national convention; and

WHEREAS, Jon's *service* achievements have included volunteering in a number of projects sponsored by Tabb High's Key Club, tutoring sixth grade math and science, serving in his church's nursery and youth band as well as compiling sermon notes and songs on PowerPoint projection for Sunday morning worship, and by working on a wide variety of projects through the Order of the Arrow, including community service initiatives such as helping to direct traffic for various community events, as well as extensive service given to the scouting program, including road and building maintenance at the Camp Chickahominy scout facility and by serving on staff for three years to organize an annual weekend Camporee attended by some 500 to 600 area scouts; and

WHEREAS, in addition to all of these exemplary achievements and time consuming pursuits Jon has somehow managed to find enough "spare time" to participate as an editorialist for the school newspaper, as a member of Tabb's Spirit Club and Debate Team, as a Drama participant where he most recently had one of the leading roles in Tabb's spring production of "The Music Man," as an accomplished tuba player in the school band where he has served as section leader through all four years of high school, and as a member of a variety of athletic teams including Track and Cross Country for two years each, Wrestling and Tennis for one year each, and in Swimming this year where he earned a varsity letter; and

WHEREAS, Jon has also worked each summer, the only time his demanding schedule will allow, holding jobs at Farm Fresh, Baskin Robbins, and as a Sales Associate with Polo Ralph Lauren; and

WHEREAS, in addition to the many noteworthy achievements previously highlighted, Jon is continually described by his principal, his student activities director, his Senior Class advisor, and by other influential adults in school, church, and scouting as a "natural born leader," a very organized and decisive individual, a young man in search of excellence rather than in contentedly maintaining the status quo, a class officer who initiated many new and creative ideas this year at Tabb, including some that became wildly popular and others much less so, but who nevertheless was willing to take risks for what he believed to be in the best interests of his classmates, and who could always be counted upon to actively and respectfully champion the desires and decisions of his fellow class representatives to the school administration; and

WHEREAS, Jon is commended by his nominator and Advanced Placement Chemistry teacher, a woman who has served as an active club sponsor and who has taught at Tabb High School since it opened 28 years ago, as being simply *the* most well-rounded young person she has ever known, with a level of maturity, responsibility, and overall competency that are beyond his years, a sincere and courteous individual equally respected and well-liked by his fellow students and faculty members alike, a true role model for young people, and someone

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whom she concludes is "one of society's best; whatever he does, wherever he goes, it will be profound;"

NOW, THEREFORE, BE IT RESOLVED, on this the 17th day of April, 2001, that Jonathan Duey be, and he is hereby, commended and congratulated for being selected as York County's 2001 Outstanding Youth of the Year for Overall Achievement.

BE IT FURTHER RESOLVED that Jon be extended the sincere appreciation of the Board of Supervisors for his outstanding example as a student leader and role model to the youth of our community, and that the Board's best wishes go with him as he continues to lead, positively influence, and serve others.

WHEREAS, Kim's compassion for the needy and desire to work to help relieve their pain and loneliness has expressed itself in many tangible ways throughout her high school years, including her participation each summer in week long, church-sponsored work camps in Pittsburgh, Pennsylvania and Edison, New Jersey, during which time Kim has worked on home repair projects for disadvantaged people; and

WHEREAS, Kim has taken the time each summer to bond with the people she is helping, befriending elderly persons, individuals with debilitating diseases, and spending time playing with underprivileged children; and

WHEREAS, one sick and elderly widower was so touched by Kim's compassion that he wrote her to express how much it meant to him and people everywhere to have someone take the time to listen to another's pain and to share about their own life; and

WHEREAS, Kim's sensitivity and compassion have also touched those with needs in our own community, as demonstrated by her three-year participation in the York County-Williamsburg Housing Partnership, where she has helped repair homes and perform yard work for individuals who are unable to do this by themselves; and

WHEREAS, Kim's devotion to helping the needy has also been demonstrated by her three year commitment to a soup kitchen outreach at St. Paul's Episcopal Church in downtown Newport News where she helps serve food to homeless and marginally housed people and who comforts, in the words of her nominator, "aging women who need the spirit of a young woman to remind them of the beauty of life;" and

WHEREAS, Kim shared her feelings about this volunteer outreach in an article she wrote for her school newspaper as a tenth grader, where she movingly wrote that "The day before I worked at the soup kitchen I had been worrying about something so petty I can't even remember it...But now, as I approach East Newport News, I suddenly cross this very visible line from my sheltered haven to a world all its own. I catch a glimpse...of a homeless woman huddled around her child, and I feel...somewhat childish for the thoughts I had...earlier. It is thirty degrees today and only the beginning of winter. I appear out of place on these side streets that I didn't even know existed. They are a complete 180 from the manicured lawns of my neighborhood;" and

WHEREAS, this article further reveals Kim's heart as she relates that "At 12:00 the food is prepared and the doors are opened...I look at all the faces in the room and the possibility of my family or I being in their place some day is not that strange. They are not all lazy or impolite like society has painted, but instead some of the smartest and friendliest people I have ever met. They present such overwhelming appreciation for what I'm doing that I feel honored just to be in their company...I am a waitress for a day and I do not get paid for it, but that is okay because I leave with something worth far more than money...When you see the homeless as no different than you or I they become in some way more real than they were before. It is easy to overlook the unpleasant things in life when you are not faced with them every day. Seeing this is the greatest reality check you can ever experience;" and

WHEREAS, Kim is now drawing from her profound experiences to help motivate other young people to become involved, meeting together with a team of area teens to design a program with written material for a self-directed retreat model where youth groups can dine with the homeless on a Friday night and then learn about some of the root causes of poverty and ways to lend assistance to people caught in its web; and

WHEREAS, in light of the huge heart this tiny individual has it is no wonder that her nominator asserts that at "first glance, Kim Hays is an unassuming person. One may overlook her until she quietly and effectively makes her presence known through her consuming desire to do her best work or her passion to help others in need. In actuality Kim Hays is a person of unusual depth who works tirelessly to improve the lives of others...Kim's compassion is vital to our community's health. She has and will continue to significantly improve the world around her;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of April, 2001, that Kimberly Hays be, and she is hereby, commended and congratulated for being selected as York County's 2001 Outstanding Youth of the Year for Compassion.

BE IT FURTHER RESOLVED that Kim be extended the best wishes of the Board of Supervisors as she continues to live a life of exemplary love and concern for others, and may she take great encouragement in knowing that our world is a better place because she is with us.

Resolution No. R01-73

A RESOLUTION TO COMMEND AND CONGRATULATE DONALD LYONS ON HIS SELECTION AS THE 2001 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COURAGE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Donald Lyons was nominated and has been chosen by the Selection Committee to receive the 2001 Outstanding Youth of the Year Award for Courage; and

WHEREAS, Donald Lyons exemplifies the meaning of the word courage, having persevered through the normal rigors of high school with a learning disability that has greatly affected the ease and amount of time it takes him to understand his school subjects, complete homework assignments, and prepare for quizzes and tests; and

WHEREAS, he has more than compensated for his learning weaknesses by the God-

given strengths of a laser-like focus on his goals and a steely resolve to stay the course before him no matter what obstacles block his way; and

WHEREAS, Donald's father recounts how for a period of four or five years he worked especially long hours, routinely arriving home each night between 8:00 and 9:00, only to find Donald just as routinely studying and doggedly working on the homework that he had been at since earlier that afternoon; and

WHEREAS, though Donald's disability also affects his motor skills, through determination and practice he became an accomplished ice hockey goalie, helping his team win two bragging rights championships amongst the local youth league teams practicing at the Ice Palace; and

WHEREAS, the five years that Donald practiced and played hockey at the Ice Palace two nights a week from 6:00 to 8:00 was a particular joy for him and his whole family, who enjoyed watching him as much as he thrilled at playing, and yet, of his own accord, he decided to abruptly give up the game he loved when he turned 18, reasoning that playing in the adult leagues, whose ice time was scheduled late at night, would interfere too much with his number one goal of succeeding in his schoolwork; and

WHEREAS, daily inner courage is a necessity for Donald in the pursuit of his goal of attaining academic success; and

WHEREAS, his nominator and Special Education teacher at Grafton High School attests that "it takes courage to approach teachers to ask for help because you do not understand the material...and because your learning disability makes processing the information difficult at the very least;" and

WHEREAS, she also affirms that "It shows courage to admit you have a problem to an entire classroom of your peers," and "It takes courage to go into your heart and soul, fighting back the tears of frustration, to find the willpower to overcome a disability that no one can see and, therefore, not fully appreciate;" and

WHEREAS, it takes extraordinary courage to make the decision as Donald did at the beginning of his sophomore year to take an extra year to graduate so that he could earn a 23 credit *Advanced Certificate*; and

WHEREAS, this decision was once again Donald's own idea, just as when he decided to give up his love of playing ice hockey; and

WHEREAS, Donald's French teacher of four years describes him as the "most positive person I've ever met because he doesn't complain that things are difficult or impossible but that they are *challenging*;" and

WHEREAS, this teacher states that Donald has very positively affected the attitude and outlook of her entire class, that he is well-liked for being so caring and showing a genuine interest in others, is highly esteemed by his classmates for being so competent and productive, and is sought by everyone as a partner for group projects because he is so organized and knows how to break down and approach a problem; and

WHEREAS, many of his teachers consider Donald to be a hero for his courage and for striving to be the best he can be at all he attempts to do, leading his nominator to assert that he has had to work harder than "any other student in this building;" and

WHEREAS, in spite of his learning disability, this bright young man possesses a love for history, widely reading and viewing educational television, taking time to memorize things of interest, driven by a true wonder for learning about the world; and

WHEREAS, Donald's tireless work ethic, perseverance, and organizational ability are now all bearing fruit as he graduates this June in the *top third* of his class at Grafton High, has gained acceptance to attend college this fall, and has ensured himself a means for earning money through training as a dental assistant at New Horizons; and

WHEREAS, his outstanding accomplishments and hard won success seem best explained by the observation from his father that Donald "has a singular mind in terms of what he wants to do...whatever it takes to get there he does;"

NOW, THEREFORE, BE IT RESOLVED, on this the 17th day of April, 2001, that Donald Lyons be, and he is hereby, congratulated and commended by the York County Board of Supervisors as York County's 2001 Outstanding Youth of the Year for Courage.

BE IT FURTHER RESOLVED, that Donald Lyons be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Courage, that he be extended the sincere admiration and appreciation of the Board of Supervisors for his tremendous inspiration and example to us all, and that the Board's best wishes go with him for a most rewarding and blessed life, and a future filled with continued triumph.

Item No. 4. APPROVAL OF PROCUREMENT ACTION: Resolution R01-69.

A RESOLUTION TO AUTHORIZE PROCUREMENT OF VEHICLES

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of April, 2001, that the County Administrator be, and hereby is, authorized to conclude procurement arrangements for the following:

	<u>AMOUNT</u>
Two (2) law enforcement vehicles	\$42,156

MATTERS PRESENTED BY THE BOARD (continued)

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Chairman Burgett shared an outstanding example of citizenship by describing a newly developed area that had been littered with debris. He observed a young man by the name of Brian Forestiere, a 14 year old, who picked up the trash that had been thrown about in the area, and he applauded the young man for his civic efforts. He reported attending the first lighted baseball game at Dare Elementary School, and the Volunteer Appreciation Day picnic at York High School. He recognized the efforts of Cheryl Sonderman and Rick Smethurst, Department of Parks and Recreation, who coordinated the picnic.

Mrs. Noll also commended the Tim Garner for all of his work at the Volunteer Appreciation Day picnic.

Chairman Burgett reported on a conversation he had with a constituent who praised the help she received from Michael Elam, Department of Environmental and Development Services. He asked the County Attorney to prepare a draft ordinance sometime this summer prohibiting graffiti. He expressed annoyance with Mr. Zaremba's comments alluding that the Board does not participate with the public adequately. He stated he felt that the Board did welcome the public's input and involvement in the decision-making process. He stated that the Board had not made a decision on the parking lot, and he reiterated that all Board members were dedicated to serving the public and getting them involved.

NEW BUSINESS

COMMENDATION OF CONGRESSMAN NORMAN SISISKY

Mr. McReynolds explained that Mrs. Noll had requested this be added to the Agenda to honor Congressman Norman Sisisky and recognize and commend his public service career.

Mrs. Noll moved the adoption of R01-78 which reads:

A RESOLUTION TO HONOR CONGRESSMAN NORMAN SISISKY AND RECOGNIZE AND COMMEND HIS PUBLIC SERVICE CAREER

WHEREAS, U.S. Representative Norman Sisisky, 4th Congressional District, passed away on Thursday, March 29, 2001; and

WHEREAS, Congressman Sisisky served the people of Virginia in elected office for more than 25 years, first serving in the General Assembly and, since 1983, the U. S. House of Representatives; and

WHEREAS, Mr. Sisisky represented part of the Hampton Roads region, staunchly supporting the area's military presence as a senior member of the House Armed Services Committee; and

WHEREAS, his knowledge and effectiveness on defense issues will be considered an irreplaceable loss to the Hampton Roads community; and

WHEREAS, the York County Board of Supervisors wishes to recognize Mr. Sisisky's dedicated public service career;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of April, 2001, that it does hereby recognize the stellar career of Congressman Norman

Sisisky, and honor the memory of this great statesman who provided his talent and untiring energy to the constituents he served.

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby express its heartfelt sympathy to Mr. Sisisky's family and friends, and its wish that they will find comfort in their memories of his courage and integrity in his private life as well as his public one.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Ashe, Burgett
Nay: (0)

APPROPRIATION FOR COMMUNICATIONS SYSTEM DESIGN

Mr. McReynolds briefed the Board on proposed Resolution R01-79 to authorize the expenditure for Phase II of the Communications System Upgrade Project. He mentioned that staff had previously presented a briefing on a study prepared by a consultant for the County making the recommendation that the communications system be upgraded.

Mrs. Noll stated she felt the Board should move forward with the system upgrade.

Mr. Ashe reported he had conversations with officials in other localities and was not comfortable in making a decision on the upgrade at this time. He felt a different approach to the communication systems would be appropriate.

Mr. Zaremba asked for an explanation of Phase II of the communication system upgrade.

Mr. Terry Hall, Department of Fire and Life Safety, explained that part of Phase II was to hire a consultant to ensure the compatibility with neighboring jurisdictions and to ensure that nationwide standards are met. The consultant would also supply the system design and acquisition and price negotiation.

Mr. Wiggins stated there was a lot of money involved, and staff had put a lot of time into the systems upgrade, and that the money was for the guidelines to be established.

Mrs. Noll stated this was a regional effort and not just York County's money, but James City County's money as well, and that all needed to be compatible. She felt she felt that hiring a consultant would give them an objective view, and the Board needed to move forward on the project.

Chairman Burgett understood this action would be to hire a consultant for expertise in designing the proper system. He stated this matter has been in the works for a long time, and it would be putting a hardship on James City County if it did not move forward.

Discussion ensued on the communications system upgrade.

Mr. Ashe then stated he would like to table the item for another two weeks. He further suggested that each Board member talk to some of the leaders from James City County before making a decision.

Mr. Ashe moved that proposed Resolution R01-79 be tabled until May 1.

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On roll call the vote was:

Yea: (3) Wiggins, Ashe, Zaremba
Nay: (2) Noll, Burgett

CLOSED MEETING. At 9:10 p.m. Mr. Wiggins moved that the meeting be convened in Closed Meeting pursuant to Section 2.1-344(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions; Section 2.1-344(a)(3) pertaining to the acquisition of real property for a public use; and Section 2.1-344(a)(7) to consult legal counsel on a specific legal matter requiring the provision of legal advice by counsel.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Zaremba, Ashe, Burgett
Nay: (0)

Meeting Reconvened. At 9:35 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM
OF INFORMATION ACT REGARDING MEETING IN CLOSED MEET-
ING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of April, 2001, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Wiggins, Zaremba, Ashe, Noll, Burgett
Nay: (0)

APPOINTMENT TO THE YORK COUNTY TRANSPORTATION SAFETY COMMITTEE

Mr. Zaremba moved the adoption of proposed Resolution R01-84 to which reads:

A RESOLUTION TO APPOINT A MEMBER TO THE YORK COUNTY
TRANSPORTATION SAFETY COMMISSION

WHEREAS, Mr. Larry Akin has resigned from the York County Transportation Safety Commission, and his term does not expire until December 31, 2002;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of April, 2001, that the following individual be appointed to the York County Transportation Safety Commission to fill the unexpired term of Mr. Larry Akin, such term to begin immediately and expire December 31, 2002:

Edward G. Moninger

On roll call the vote was:

Yea: (5) Ashe, Zaremba, Noll, Wiggins, Burgett
Nay: (0)

Meeting Adjourned At 9:45 p.m. Chairman Burgett declared the meeting adjourned to 6:00 p.m., Tuesday, April 24, 2001, in the Board Room, York Hall, for the purpose of conducting a work session.

James O. McReynolds, Clerk
York County Board of Supervisors

James S. Burgett, Chairman
York County Board of Supervisors